

The Honorable Paul B. Snyder  
Chapter 11  
Location: Courtroom H, Tacoma  
Hearing Date: Friday, June 11, 2010  
Hearing Time: 9:00 a.m.  
Response Date: Friday, June 4, 2010

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

In re  
WASHINGTON MUTUAL, INC.,  
Debtor.

Case No. 08-12229-MFW  
District of Delaware

Chapter 11

ESOPUS CREEK VALUE LP and  
MICHAEL WILLINGHAM

Adversary No. 10-04136

Plaintiffs,

**DECLARATION OF WILLIAM C. RAVA  
IN SUPPORT OF WASHINGTON  
MUTUAL, INC.'S MOTION TO  
TRANSFER, STAY, OR DISMISS THE  
INSTANT ACTION**

vs.

WASHINGTON MUTUAL, INC.,  
Defendant.

I, William C. Rava, declare under 28 U.S.C. § 1746:

1. I am an attorney duly admitted to practice in the State of Washington and before this Court and a partner at Perkins Coie LLP, attorneys for Defendant Washington Mutual, Inc. ("WMI"). I submit this declaration in support of WMI's Motion to Transfer,

DECLARATION OF WILLIAM C. RAVA IN  
SUPPORT OF WASHINGTON MUTUAL,  
INC.'S MOTION TO TRANSFER – 1

53000-0005/LEGAL18307283.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1 Stay, or Dismiss the Instant Action based upon my personal knowledge, unless otherwise  
2 stated herein.  
3

4  
5 2. The Official Committee of WMI's Equity Security Holders ("Equity  
6 Committee") filed an adversary proceeding ("Adversary Proceeding") on March 3, 2010, in  
7 the Delaware Bankruptcy Court. The Adversary Proceeding has been assigned to Judge  
8 Mary Walrath.  
9

10  
11 3. The confirmation hearing for Debtors' proposed plan of reorganization is  
12 currently scheduled for July 20, 2010, in the U.S. Bankruptcy Court for the District of  
13 Delaware.  
14

15 4. Attached hereto are true and correct copies of the following documents:  
16  
17

<b>Exhibit</b>	<b>Document</b>
1	Equity Committee's Adversary Complaint, filed March 3, 2010, in the Delaware Bankruptcy Court
2	Equity Committee's Motion for Summary Judgment, or in the Alternative, for Relief from the Automatic Stay, filed March 11, 2010, in the Delaware Bankruptcy Court
3	Debtor's Answer and Counterclaim to the Equity Committee's Complaint, filed April 7, 2010, in the Delaware Bankruptcy Court
4	WMI's Opposition to Equity Committee's Motion for Summary Judgment, filed April 7, 2010, in the Delaware Bankruptcy Court
5	Equity Committee's Answer to Debtor's Counterclaim, filed April 30, 2010, in the Delaware Bankruptcy Court
6	Order of the U.S. Bankruptcy Court for the District of Delaware, dated April 26, 2010
7	Notice of Appointment of Committee of WMI's Equity Security Holders, dated January 11, 2010, in the Delaware Bankruptcy Court
8	Plaintiffs' Washington State Court Complaint, filed April 26, 2010 in Thurston County Superior Court

**Exhibit**

**Document**

- |    |  |
|----|--|
| 9  | Plaintiffs' First Amended Complaint, filed May 4, 2010 in Thurston County Superior Court                     |
| 10 | Declaration of Andrew Sole in Support of Motion for Order to Compel Shareholders' Meeting, dated May 4, 2010 |
| 11 | Plaintiffs' Motion for Order to Compel a Shareholders' Meeting, filed May 5, 2010                            |
| 12 | WMI's Notice of Removal, filed May 13, 2010  |

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED: May 14, 2010

*s/ William C. Rava*  
William C. Rava, WSBA No. 29948